FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.616 OF 2004

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mrs. M.M.Mhatre, A.P.P. for the State.

CORAM : R.S. MOHITE,J.
DATED : 12/1/2006.

P.C.

1. The State has filed this appeal against the judgment and order passed by the J.M.F.C. Deorukh acquitting the accused for offences punishable under Section 498A and 506(2) read with 34 of the I.P.C. On perusal of the impugned judgment and order it is noticed that the same is based on cogent and acceptable reasons. The prosecution case was based upon the evidence of P.W.No.1 Shabana who was the wife and her father talked about the harassment of his daughter on the basis of what he had learnt from the daughter, but P.W.No.1 Shabana did not disclose that

she had stated anything to her father. But the evidence indicated that she was treated properly for about 6 months and thereafter ill-treatment started. She stated that after the marriage Jahiruddin had given her gold bangles and in the year 1995 he had brought gold ornaments for her. In the year 1997 he had deposited an amount of Rs.24,000/- in their joint saving account. In 1997, he had opened saving account in the name of his daughter and deposited an amount of Rs.70,000/- in the said account and she was appointed as guardian. It appears that on 22.1.2003 accused No.5 had sent a deed of divorce and accused No.2 Jamila had lodged complainant against Shabana with the police for assaulting her. The Court has found that complaint filed in this case appears to be by way of counter blast. In the circumstances, not a fit case to interfere in the impugned order. Hence, leave refused. Consequently, appeal stands dismissed.

(R. S. MOHITE, J.)